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Attorneys for Defendants AMYRIS, INC. and JOHN G. MELO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

11 DAVID BROWNING, individually and  
12 on behalf of all others similarly situated,

Plaintiff,

v.

14 AMYRIS, INC. and JOHN G. MELO,

Defendants.

Case No. 3:13-CV-02209-WHO

**STIPULATION AND ORDER REGARDING  
CONTINUING CASE MANAGEMENT  
CONFERENCE AND REGARDING  
MOTION TO DISMISS BRIEFING  
SCHEDULE**

Judge: Hon. William H. Orrick

Date Filed: May 14, 2013

Trial Date: None

**STIPULATION**

WHEREAS, on October 25, 2013, pursuant to the Stipulation and Order dated September 5, 2013 (Doc. No. 25) (hereinafter “Stipulation and Order of September 5”), Lead Plaintiffs filed their Consolidated Complaint in the above-captioned securities class action;

WHEREAS, Defendants Amyris, Inc. and John Melo intend to file a motion to dismiss the Consolidated Complaint;

WHEREAS, consistent with the Stipulation and Order of September 5, the parties have met and conferred regarding a proposed briefing schedule and proposed hearing date for Defendants’ motion to dismiss that provides each party with approximately equal extensions for their initial briefs after factoring in the holidays;

WHEREAS, pursuant to the Private Securities Litigation Reform Act of 1995, discovery in this action is stayed pending resolution of Defendants’ motion to dismiss (*see* 15 U.S.C. § 78u-4(b)(3)(B));

WHEREAS, the parties have also met and conferred regarding the timing of the Case Management Conference currently scheduled for November 19 and certain other deadlines (such as submitting the form for the Alternative Dispute Resolution (ADR) program), and believe that the interests of judicial economy and efficiency would be best met by continuing that conference and related deadlines until after the Court has ruled on Defendants’ motion to dismiss;

IT IS THEREFORE STIPULATED AND AGREED, by and between undersigned counsel and subject to approval of the Court that:

1. Defendants shall file their motion to dismiss the Consolidated Complaint on or before December 11, 2013;

2. Lead Plaintiffs shall file their opposition to Defendants’ motion to dismiss on or before February 7, 2014;

3. Defendants shall file their reply regarding the motion to dismiss within 21 days after the opposition is filed (tentative due date February 28, 2014);

4. The parties request that the Court hold a hearing on Defendants' motion to dismiss on Wednesday, March 19, 2014 at 2:00 p.m. or such later date at the Court's convenience, however, should Lead Plaintiffs file their opposition before the February 7 deadline, the parties shall advise the Court so that it may reset the hearing date accordingly, should it choose to do so;

5. The parties jointly request that the case management conference currently scheduled for November 19, 2013 be taken off calendar and rescheduled once the Court has ruled on Defendants' motion to dismiss, and that other related deadlines including those relating to the Alternative Dispute Resolution (ADR) program also be continued and re-set after the motion to dismiss ruling.

SO STIPULATED.

DATED: November 5, 2013

KEKER & VAN NEST LLP

By: /s/ Laurie Carr Mims

SUSAN J. HARRIMAN  
MICHAEL D. CELIO  
LAURIE CARR MIMS

Attorneys for Defendants AMYRIS, INC.  
and JOHN G. MELO

DATED: November 5, 2013

MILBERG LLP

By: /s/ David Azar

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Lead Counsel for Class

**DECLARATION OF LAURIE CARR MIMS**

I, Laurie Carr Mims am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Relate Cases. In compliance with Local Rule 5-1(i)(3), I hereby attest that the concurrence of the filing of this document has been obtained from each of the other signatories indicated by a “conformed” signature (/s/) within this document.

/s/ Laurie Carr Mims

**ORDER**

The Court has considered the above Stipulation, and for good cause appearing therefore, hereby ORDERS as follows:

1. Defendants shall file their motion to dismiss the Consolidated Complaint on or before December 11, 2013;

2. Lead Plaintiffs shall file their opposition to Defendants' motion to dismiss on or before February 7, 2014;


3. Defendants shall file their reply regarding the motion to dismiss within 21 days after the opposition is filed (tentative due date February 28, 2014);

4. The hearing on Defendants' motion to dismiss shall be held on Wednesday, March 19, 2014 at 2:00 p.m., however, should Lead Plaintiffs file their opposition before the February 7 deadline, the parties shall advise the Court so that it may reset the hearing date accordingly, should it choose to do so;

5. The case management conference currently scheduled for November 19, 2013 shall be taken off calendar and rescheduled once this Court has ruled on Defendants' motion to dismiss, and other related deadlines including those relating to the Alternative Dispute Resolution (ADR) program shall also be continued and re-set after the motion to dismiss ruling.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 6, 2013

  
THE HONORABLE WILLIAM H. ORRICK  
United States District Court Judge